



08-05-04

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Attorney Docket No. 134.004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Karmali, Rashida A.

SERIAL NO.: 10/826,083

Art Unit: Unknown (1700)

FILED: 4/16/2004

Examiner : Marian C. Knode

For: **SPECIMEN COLLECTING, PROCESSING AND ANALYTICAL ASSEMBLY**

RENEWED PETITION REQUESTING ADVANCEMENT OF EXAMINATION
UNDER 37 C.F.R. 1.102 (d)

Commissioner for Patent
Washington, D.C. 20231

Sir:

Applicant petitioned the Commissioner on April 23, 2004, to advance the examination of this application out of turn because applicant had a licensing offer through which the Invention will be manufactured for an HIV test that will be made available world-wide. The fees for filing this Petition under 37 CFR 1.17(h) were paid properly.

On August 2, 2004, the Petition was denied by Special Program Examiner Marian C. Knode, because the criterion set forth in MPEP 708.02X was not met.

In response, applicant submits this renewed petition to make special, and the following statement to explain how the invention contributes to the diagnosis, treatment or prevention of HIV/AIDs or cancer as per MPEP 708.02X:

"The invention is designed to collect small, very small amounts of specimen (about 5 to 1000 microliters) using a capillary tube. The blood sample can be obtained by a prick on the finger, instead of using a syringe to collect large amounts to be sent to a clinical lab. After the sample is collected, it is diluted immediately with buffer, and filtered. The capillary tube is attached to a barrel which contains a special strip with HIV1 and HIV2 peptides, to detect any antibodies in a AIDS positive

sample of a very small amount of blood or saliva. The color test takes 30 minutes to develop. Therefore, the patient can be given the result within 1hr of collecting the sample, instead of waiting for one to weeks to get the result from the clinic. In the field, this test will prove invaluable, especially in the third world where clinics are rare and the medical staff have to go to villages to test the patients. The test is cost effective as well and easy to dispose. An experimental version of this invention is currently undergoing testing to get approval from the FDA. Issuance of a patent will facilitate world-wide licensing and development of the test.

Reconsideration of the Petition to make special, by the Special Program Examiner for Technology Center 1700, is respectfully requested.

Early and favorable action is earnestly solicited.

Respectfully submitted,

Rashida A. Karmali

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Date: August 4, 2004

"Express Mail" Mailing Label

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Date of Deposit: August 4, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service ~Express Mail Post Office to Addressee service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: *Assistant Commissioner for Patents, Box 1450 Alexandria Virginia 22313-1450.*

Name: Rashida A. Karmali

Signature: Rashida A. Karmali